GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

P.S. - PR&RD Department - Allegations of irregularities in the execution of C.C Road works under MGNREGS in Vizianagaram District taken up by PRI Division, Parvathipuram, Vizianagaram District – Disciplinary proceedings initiated against Sri P.Santha Rao, former Assistant Engineer, Rambhadrapuram(M), PRISD, Bobbili - Charge held not proved in the regular inquiry - Government disagreed with the findings of I.A and communicated disagreement factors calling for representation – Representation received - Imposition of penalty of withholding of one increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 - Orders – Issued

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PANCHAYAT RAJ AND RURAL DEVELOPMENT (VIG.I) DEPARTMENT

G.O.RT.No. 216 **Dated: 15-04-2021**

Read the following:-

1. From the DG, V&E, Vigilance Report No. 12A (C.No. 481/V&E/E2/2014), dt: 30.08.2014.
2. G.O.Rt.No.944, PR&RD (Vig.I) Department, Dt.05.10.2015.
3. From ENC, PR, AP, Lr.No.Vig.I(1)/2779/2014, Dt.28.01.2016, 18.05.2016, 20.07.2016 & 31.10.2017.
4. G.O.Rt.No.960, PR&RD (Vig.I) Department, Dt.27.07.2018.
5. From SE, PR(FAC), Vizianagaram, Lr.Rc.No.52/2010/A1, Dt.28.11.2018.
6. Govt. Memo NO. 16076/Vig. I/2014, PR&RD (Vig. I) Department, Dt: 02.06.2020.
7. From the ENC,PR, Letter No. Vig. I(1)/ 2779/2914, dt: 14.10.2020.

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ORDER:

Based on the recommendations of the Director General, Vigilance & Enforcement Department made in the reference 1st read above, on the allegations of irregularities in the execution of C.C Road works under MGNREGS Programme for the financial year 2012-13 in Vizianagaram District, Government in the reference 2nd read above, have initiated departmental proceedings duly framing following article of charge against Sri P.Santha Rao, former Assistant Engineer, Rambhadrapuram(M), PRISD, Bobbili, with a direction to submit his written statement of defence :

Charge :

That Sri P.Santha Rao, the then Assistant Engineer, Panchayat Raj, Rambhadrapuram(M) PRI SD Bobbili, Vizianagaram District has committed certain irregularities in

P.T.O.,

execution of inferior quality CC road with M30 grade in work and recorded i.e. Providing internal roads with CC drains in SC/ST colonies 2012-13 in Piridi(H) of Piridi (GP) Est.Rs.6.40 lakhs under MGNREGS programme for the financial year 2012-2013 in Parvathipuram division, Vizianagaram dist. and caused loss to Govt. for an amount of Rs.2,23,866/-.

2. In the reference 3rd read above, the Engineer-in-Chief, PR has submitted the written statement of defence of the charged officer Sri P.Santa Rao, MEO/AE (PR). After examination of the matter, Government have decided to conduct regular inquiry into the charges framed against the charged officer Sri P.Santa Rao, MEO/AE (PR) and also against nine (9) other co-charged officer involved in the case. Accordingly, Government in the reference 4th read above, have appointed the Superintending Engineer, Panchayat Raj, Vizianagaram District as Inquiry Officer for conducting enquiry against all the ten (10) charge officers.

3. In the reference 5th read above, the Inquiry Officer has submitted inquiry report, wherein the inquiry officer, among others, has given findings against the C.O. Sri P.Santa Rao, MEO/AE (PR) as follows:-

1) QC inspection was carried out on 12-04-2013 & 04-11-2013 and given satisfactory report with recovery of Rs.4,979/- was proposed as recovery from the executing agency on the work, by the Dy.EE V&QC

2) The proposed recovery for Rs. 2,46,900/- by the V&E was got recovered by the Executive Engineer, PRI Division, Parvathipuram along with V&QC proposed recovery for Rs. 4,979/- and adjusted to CRD by the EE PRI Division, Parvathipuram , as such no financial loss caused to the Govt.

3) The version of the C.O. in connection with deficiency in strength of CC Pavement executed with M30 grade is "due to lack of proper care in follow up action, such as procurement of materials as per specifications, water cement ratio, curing for 28 days and especially barricading to prevention of plying traffic during either execution or curing period is not possible in the village as there is no alternative ways to divert the traffic" and deficiencies in thickness of WBM & GSB as per site conditions are acceptable. Hence, the version of the C.O is acceptable and charge held not proved. He may be exonerated from the charges.

4. The Government, have examined the enquiry report and observe that "the fact of recovery of Rs.2,46,900/- itself indicates that there were deficiencies in the work in the first place. Further, the C.O himself has admitted that there was lack of proper care in follow up action as mentioned at item 3 above. The recovery of the amount does not absolve the C.O from the irregularities committed. In view of the above, it is considered that the charge against the C.O is proved, but not of 'partially proved' as held by the Inquiry Officer.

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5. Accordingly, in the reference 6th read above, Government have communicated the copy of the inquiry report of the Inquiry Officer dt: 28.11.2018 together with the above disagreement factors to Sri P.Santa Rao, MEO/AE (PR) under Rule 21 (2) of A.P. Civil Services (Classification, Control & Appeal) Rules, 1991 with a direction to submit his representation in the matter.

6. In the reference 7th read above, the Engineer-in-Chief, Panchayat Raj, AP, Vijayawada, among others, has furnished the representation of Sri P. Santa Rao, MEO/ Asst. Engineer, MP, Chodavaram dt: 23.10.2020, wherein the charged officer has stated that as per the orders issued in G.O.Ms.NO.42, PR&RD (RD.II) Dept., Dt: 16.2.2012 that the Work Executing Member ie., GP Spl. Officer / Sarpanch is responsible. He has discharged his duties sincerely and also made efforts to recover the amount of Rs.2,46,900/- from the concerned Work Executing Agency ie,. Gram Panchayat. At present the road is in good condition. The Charged Officer has requested to re-examine the matter and to drop further action against him.

7. Government have examined the matter and observe that the contention of the charged officer that the Sarpanches are responsible for the lapses merit no consideration. The very objective of the Panchayat Raj Engineering Department is that the Engineering works that are being executed in Gram Panchayts ie,. either through Contractors or through any other agencies viz,. Sarpanches etc,. shall be executed strictly in accordance with norms, work estimates and technical specifications without any deviation. It is the primary task of the PR. Engg. Personnel to ensure the maintenance of quality in execution of works. When the works are executed under the administrative control of the PR Engg. Personnel, then they are only responsible for inferior quality of execution and the lapses regarding inferior quality of works executed could not be simply thrown on executive agencies viz., Contractors, Sarpanches etc., The recovery proposed by the V&E itself indicate that there was substandard execution carried out. As such, the charged officer is responsible and his representation to drop further action is devoid of merits.

8. Accordingly, Government after careful examination of the matter, have decided and accordingly, hereby impose a penalty of stoppage of one (1) annual grade increment without cumulative effect under Rule 9 (iv) of A.P.C.S (CC&A) Rules, 1991 against Sri P.Santha Rao, former Assistant Engineer, Rambhadrapuram(M), PRISD, Bobbili and presently working as M.E.O, MPP, Chodavaram in the matter.

9. The Engineer-in-Chief, Panchayat Raj, A.P, Vijayawada is requested to take necessary action accordingly in the matter.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

GOPAL KRISHNA DWIVEDI
PRINCIPAL SECRETARY TO GOVERNMENT

To
The Engineer in Chief, Panchayat Raj, Andhra Pradesh,
Vijayawada.

P.T.O.,

Sri P.Santha Rao, former Assistant Engineer,
Rambhadrapuram(M), PRISD, Bobbili and presently
working as M.E.O, MPP, Chodavaram

through Engineer in Chief, Panchayat Raj, A.P., Vijayawada.
(with a request to serve the order on the individual and
furnish the dated acknowledgment copy)

Copy to:-

The Secretary to Vigilance Commission,
Andhra Pradesh Vigilance Commission, Velagapudi.
SF/SC.

//Forwarded :: By Order //

SECTION OFFICER